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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,729	07/31/2001	Masahiro Terada	0879-0345P	1253
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BIRCH STEWART KOLASCH & BIRCH			SHIN, KYUNG H	
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2143

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/917,729

Applicant(s)

TERADA, MASAHIRO

Examiner

Kyung H. Shin

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/31/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/6/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is responding to application papers filed 6/6/2005.
2. Claims 1 - 37 are pending. Independent claims are 1, 3, 5, 8, 9, 10, 16, 18, 20, 32, 34, 36.

Claim Rejection - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 - 8, 10 - 15, 20 - 22, 24 - 26, 28 - 30, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski (US Patent No. 6,836,617) in view of Noro et al. (US Patent No. 6,646,677).

Regarding Claim 1, Parulski discloses a communication apparatus, comprising:

- b) a displaying device that displays the images received from the camera by the first communication device and displays a service menu showing services offered by a service center for the user; (see Parulski col. 6, lines 18-22; col. 12, lines 34-

41; col. 17, lines 10-18; col. 19, lines 49-54: network connected server, image display device, service menu utilized)

- c) a selecting device that selects an image among the images displayed by the displaying device and selects a service among the services displayed by the displaying device; (see Parulski col. 12, lines 34-41; col. 19, lines 49-54: select image for processing, menu capabilities (i.e. select a service)) and

Parulski does not disclose identification information for a camera device of a user. However, Noro discloses:

- a) identification information of a camera owned by a user from the camera; (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera device)
- d) a second communication device that transmits the identification information, (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (see Noro col. 3, lines 48-52: “ ... On the other hand, in order to satisfactorily attain camera control at the client having the right of camera access, images are preferably reproduced in real time so as

to recognize images of the sensed object in real time ... ”)

Regarding Claim 2, Parulski discloses the communication apparatus as defined in claim 1, wherein:

- a) the first communication device automatically starts communicating with the camera when the user connects the camera with the first communication device; (see Parulski col. 13, lines 46-50: images displayed when connected to camera) and
- b) the second communication device starts communicating with the service center through the network as need arises. (see Parulski col. 17, lines 10-18; col. 19, lines 49-54: menu initiated actions to initiate processing by server)

Regarding Claims 3, 5, Parulski discloses a server, comprising:

- a) a communication device that receives information of a camera owned by a user from the user; (see Parulski col. 20, lines 15-23: database accessed to retrieve user personalization information that designates particular user camera)
- b) a recording device that records the information and a service menu showing services to be offered to the user; (see Parulski col. 18, lines 27-30; col. 19, lines 49-54: database user personalization information, service menu utilized) and
- c) a reading device that reads the service menu from the recording device according to the information; wherein the communication device transmits the

service menu to the user. (see Parulski col. 19, lines 49-54: menu capabilities utilized to process services)

Parulski does not disclose identification information for a camera device of a user.

However, Noro discloses identification information for a user camera. (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (see Noro col. 3, lines 48-52)

Regarding Claims 4, 7, 12, 15, Parulski discloses the server and service center as defined in claims 3, 5, 10, 13, further comprising:

- a) a payment information recording device that records the identification information and a method of payment; (see Parulski col. 8, lines 31-37; col. 8, lines 44-49: payment capabilities for provided services)
- b) a payment method reading device that reads the method of payment from the payment information recording device according to the identification information received; (see Parulski col. 8, lines 31-37; col. 8, lines 44-49: payment capabilities for provided services) and

- c) a charge receiving device that receives a charge for a service in accordance with the method of payment read by the payment method reading device. (see Parulski col. 8, lines 31-37; col. 8, lines 44-49: payment charged to financial institution)

Regarding Claims 6, 11, 14, Parulski discloses the server and service center as defined in claims 5, 10, 13, wherein the user information includes at least one of the following: a delivery address, a distribution destination of image or audio data, a financial source, a password, an address, a name, a gender, a birthday and an age. (see Parulski col. 4, lines 1-4: user information (i.e. name, address, e-mail address))

Regarding Claims 8, 10, Parulski discloses a server, comprising:

- a) a communication device that receives information of a camera owned by a user from the user; (see Parulski col. 20, lines 15-23: database accessed to retrieve user personalization information that designates particular user camera)
- b) a recording device that records the information and utility data showing services used by the user; (see Parulski col. 18, lines 27-30: database user personalization (i.e. utility) data used to provide offered services)
- c) a reading device that reads the utility data from the recording device according to the information; (see Parulski col. 18, lines 27-30: database accessed to retrieve user personalization (i.e. utility) data providing user services) and
- d) a determining device that determines an order of services in a service menu to be offered to the user in accordance with the utility data; (see Parulski col. 7, line

66 - col. 8, line 4; col. 17, lines 10-18; col. 19, lines 49-54: preferred menu offerings capabilities utilized)

- e) wherein the communication device transmits the service menu showing the services in the order determined by the determining device. (see Parulski col. 17, lines 10-18; col. 19, lines 49-54: menu capabilities utilized)

Parulski does not disclose identification information for a camera device of a user.

However, Noro discloses identification information for a user camera. (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (see Noro col. 3, lines 48-52)

Regarding Claim 13, Parulski discloses the service center as defined in claim 10, wherein the service includes at least one of the following: an image or audio distributing service, an image printing service, a service for publicly opening an image on a network, and a service for saving an image in a server. (see Parulski col. 3, lines 55-60; col. 17, lines 16-18; col. 19, line 66 - col. 20, line 3: image processing system, upload (i.e. save) image to a server for distribution)

Regarding Claim 20, Parulski discloses a service method, comprising the following steps of:

- a) receiving images from a camera connected with a communication apparatus;
(see Parulski col. 12, lines 34-41: image display device)
- b) displaying the images and a service menu showing services to be offered by a service center on a displaying device of the communication apparatus; (see Parulski col. 12, lines 34-41; col. 19, lines 49-54: display images, menu capabilities utilized)
- c) selecting a service from the service menu, or selecting the service and an image among the images; (see Parulski col. 19, lines 49-54: menu capabilities utilized (i.e. select image or service)) and

Parulski does not disclose identification information for a camera device of a user. However, Noro discloses identification information for a user camera. (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (see Noro col. 3, lines 48-52)

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Regarding Claims 21, 22, 25, 26, 29, 30, Parulski discloses the service method as defined in claims 20, 24, 28, wherein:

- a) the communication apparatus connects to the service center and transmits the information and the image to the service center; (see Parulski col. 17, lines 16-18; col. 19, line 66 - col. 20, line 3: upload image to server)
- b) the server which communicates with the communication apparatus through the network has a recording device that records the information and user information on the user; (see Parulski col. 6, lines 18-22; col. 18, lines 27-30; col. 20, lines 39-45: network connected server, database user personalization information) and
- c) the server reads the user information from the recording device on reception of the information from the service center and transmits the user information to the service center. (see Parulski col. 6, lines 18-22; col. 19, lines 49-54: network connected server, menu capabilities utilized (i.e. response transmitted to server))

Parulski does not disclose identification information for a camera device of a user. However, Noro discloses identification information for a user camera. (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a

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client having access control. (see Noro col. 3, lines 48-52)

Regarding Claim 24, Parulski discloses the service method as defined in claim 20, wherein:

- a) a server which communicates with the communication apparatus through the network has a recording device that records the information and the service menu; (see Parulski col. 6, lines 18-22; col. 18, lines 27-30: network connected server, database user personalization information) and
- b) the server selects the service menu from the recording device on reception of the information from the user and transmits the service menu to the user. (see Parulski col. 6, lines 18-22; col. 19, lines 49-54: network connected server, menu capabilities utilized)

Parulski does not disclose identification information for a camera device of a user.

However, Noro discloses identification information for a user camera. (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (see Noro col. 3, lines 48-52)

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Regarding Claim 28, Parulski discloses the service method as defined in claim 20, wherein:

- a) a server which communicates with the communication apparatus through the network has a recording device that records the information and utility information related to services used by the user; (see Parulski col. 6, lines 18-22; col. 18, lines 27-30; col. 19, lines 49-54: server system, database (i.e. records), user personalization information, menu capabilities) and
- b) the server reads the utility information from the recording device on reception of the information from the user, determines an order of the services in the service menu in accordance with the utility information, and transmits the service menu in the order to the user. (see Parulski col. 17, lines 10-18; col. 19, lines 49-54: menu capabilities utilized)

Parulski does not disclose identification information for a camera device of a user . However, Noro discloses identification information for a user camera. (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (see Noro col. 3, lines 48-52)

Regarding Claim 32, Parulski discloses a service method in which a recording device records identification information of a camera owned by a user and user information on the user, and at least one of the following is offered: an image or audio distributing service, an image printing service, a service for publicly opening an image on a network, and a service for saving an image in a server, said service method comprising the steps of:

- a) receiving the information and service information indicating a service, or receiving the information, an image and the service information from the user; reading the user information from the recording device according to the information to specify the user, and providing the service to the user. (see Parulski col. 18, lines 27-30; col. 7, line 66 - col. 8, line 4; col. 17, lines 10-18; col. 19, lines 49-54: database containing user personalization information, menu capabilities to provide services)

Parulski does not disclose identification information for a camera device of a user. However, Noro discloses identification information for a user camera. (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (see Noro col. 3, lines 48-52)

5. **Claims 9, 23, 27, 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Parulski-Noro** and further in view of **Jebens et al.** (US Patent No. 6,332,146).

Regarding Claim 9, Parulski discloses a server, comprising:

- a) a communication device that receives information of a camera owned by a user from the user; (see Parulski col. 12, lines 34-41: image data from camera displayed)
- b) a recording device that records the information; (see Parulski col. 18, lines 27-30: database storage of user information)
- c) a verifying device that reads from the recording device according to the information by the communication device; (see Parulski col. 18, lines 27-30: database user personalization information accessed based on user) and
- d) a device that allows services to the user. (see Parulski col. 19, lines 49-54: menu capabilities utilized)

Parulski does not disclose the usage of passwords. However, Noro discloses the usage of identification information for the camera (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera device), and Jebens discloses (a) a password of the user, (c) verifies the password received by the communications device with password read, (d) prohibits the services to the user when the password are different. (see Jebens col. 2, lines 15-18; col. 11, lines 32-42; col. 11, line 62 - col. 12, line 3; col. 20, lines 29-36: image processing system, password utilization by image

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processing system)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro, and to enable the usage of a password for authentication as taught by Jebens. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (see Noro col. 3, lines 48-52), and to employ Jebens in order to efficiently reuse digital imagery and reduce costs and difficulties (see Jebens col. 2, lines 8-12: “ ... costs and difficulties can arise in instances where it becomes desirable to re-use a digital asset in a different publication or in a different format altogether (e.g., utilizing an image from a movie in an advertizing brochure) ... ”).

Regarding Claim 23, 27, 31, Parulski discloses the service method as defined in claims 20, 24, 28, wherein:

- a) a communication device that receives information of a camera owned by a user from the user; (see Parulski col. 12, lines 34-41: image data from camera displayed)
- b) a recording device that records the information; (see Parulski col. 18, lines 27-30: database storage of user information)
- c) a verifying device that reads from the recording device according to the information by the communication device; (see Parulski col. 18, lines 27-30: database user personalization information accessed based on user) and

- d) a device that allows services to the user. (see Parulski col. 19, lines 49-54: menu capabilities utilized)

Parulski does not disclose the usage of passwords. However, Noro discloses the usage of identification information for the camera (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera device), and Jebens discloses (a) a password of the user, (c) verifies the password received by the communications device with password read, (d) prohibits the services to the user when the password are different. (see Jebens col. 2, lines 15-18; col. 11, lines 32-42; col. 11, line 62 - col. 12, line 3; col. 20, lines 29-36: image processing system, password utilization by image processing system)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro, and to enable the usage of a password for authentication as taught by Jebens. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control (see Noro col. 3, lines 48-52), and to employ Jebens in order to efficiently reuse digital imagery and reduce costs and difficulties (see Jebens col. 2, lines 8-12).

6. **Claims 16 - 19, 34 - 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Parulski-Noro** and further in view of **Sloane** (US Patent No. 5,918,211).

Regarding Claims 16, 18, 34, 36, Parulski discloses a service center which offers a service on a camera owned by a user in response to a request from the user, the service center comprising:

Parulski does not disclose identification information for a camera device. However, Noro discloses:

- a) a communication device that receives identification information of the camera from the user; (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera device)

Parulski discloses a recording device that records the information and a reading device that reads service information from the recording device according to the information and wherein the communication device transmits service data to the user. (see Parulski col. 3, lines 55-60; col. 19, lines 49-54: service processing system, menu capabilities) Parulski does not disclose the usage of after sales information. However Sloane discloses, wherein:

- b) after-sales service information; (see Sloane col. 4, lines 28-32; col. 7, lines 30-41: utilization of history (i.e. after sales) information in customer management) and
- c) a reading device that reads the after-sales service information from the recording device; wherein the communication device transmits after-sales service data to the user. (see Sloane col. 4, lines 28-32; col. 7, lines 30-41: utilization of history (i.e. after sales) information in customer management)

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro, and to enable the utilization of after sales information in customer management as taught by Sloane. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control (see Noro col. 3, lines 48-52), and to employ Sloane in order to motivate and alter purchasing decisions of customers (see Sloane col. 1, lines 11-15: “ ... *More particularly, it relates to a method and apparatus for alerting consumers of sales, or other product promotions, to motivate or alter their purchasing decisions at the point-of-purchase, and further, a security system for the apparatus ...*”).

Regarding Claims 17, 19, Parulski discloses the service center, wherein the service information is updating information of a program for the camera. (see Parulski col. 3, lines 55-60; col. 19, lines 49-54: service processing system, menu capabilities) Parulski does not disclose the usage of after-sales information. However, Sloane discloses as defined in claims 16, 18, wherein the after-sales information is updating information for the camera. (see Sloane col. 4, lines 28-32; col. 7, lines 30-41: utilization of history (i.e. after sales) information in customer management)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device as taught by Noro, and to enable the utilization of

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after sales information in customer management as taught by Sloane. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control (see Noro col. 3, lines 48-52), and to employ Sloane in order to motivate and alter purchasing decisions of customers (see Sloane col. 1, lines 11-15).

Regarding Claims 33, 35, 37, Parulski discloses the service method as defined in claims 32, 34, 36, further comprising:

- a) a payment information recording device that records the identification information and a method of payment; (see Parulski col. 8, lines 31-37; col. 8, lines 44-49: payment capabilities for provided services)
- b) a payment method reading device that reads the method of payment from the payment information recording device according to the identification information received; (see Parulski col. 8, lines 31-37; col. 8, lines 44-49: payment capabilities for provided services) and
- c) a charge receiving device that receives a charge for a service in accordance with the method of payment read by the payment method reading device. (see Parulski col. 8, lines 31-37; col. 8, lines 44-49: payment capabilities for provided services)

Parulski does not disclose identification information for a camera device of a user.

However, Noro discloses identification information for a user camera. (see Noro col. 8, lines 47-51; col. 12, lines 50-56: transfer of identification information for a camera

device)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Parulski to enable the transmission of identification information for a user camera device to enable the transmission of identification information for a user camera device as taught by Noro. One of ordinary skill in the art would be motivated to employ Noro in order to optimize real-time camera control for a client having access control. (see Noro col. 3, lines 48-52)

Response to Arguments

7. Applicant's arguments, filed 6/6/2005, with respect to the disqualified prior arts have been fully considered and are persuasive. The prior arts of previous action have been withdrawn.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H. Shin whose telephone number is (571) 272-3920. The examiner can normally be reached on 9 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

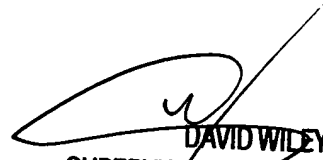
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KHS

Kyung H Shin
Patent Examiner
Art Unit 2143

KHS
September 1, 2005


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100